

first claim. This addition does not add new matter and applicants request that the objection be withdrawn.

Claim Rejections under 35 U.S.C. § 112

In item 6, the Office rejected claim 7 under 35 U.S.C. § 112 because the claim language was drawn to a non-elected claim. Applicants have amended claim 7 so that it does not depend on claim 1. Applicants request that this rejection be withdrawn. OK

Also in item 6, the Office rejected claim 11 under 35 U.S.C. § 112 because the phrase "one element" was found to be unclear. Amended claim 11 recites functions of the "element" referred to in the original claim. These functions are recited on page 7 of the specification and therefore their addition to the claim does not add new matter. NJ
Further description of these "elements" is found in the specification at page 8, lines 1-18. Therefore, the specification enables this added clarification to the term "one element" in the claim. Applicants respectfully request that the rejection be withdrawn.

Item 6 of the Office Action also includes a rejection under 35 U.S.C. §112 NJ
because the Office found the term "peptide fragment" in claim 13 to be ambiguous. The Office indicated that "the phrase reads on any peptide fragment and not a peptide fragment of hsp70." Amended claim 13 now reads on a peptide fragment of hsp70. Support for this amendment can be found on 7, lines 24-25 of the specification. The other amendments to claim 13 are intended make the claim conform to U.S. patent practice and grammar and do not add new matter. NJ

The last paragraph of item six includes a rejection under 35 U.S.C. § 112 of claim 14, which recites the phrase, "factors which activate immune defenses," because the NJ

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Office found this phrase to be indefinite and unclear. Claim 14 has been amended to replace this term with the term "cytokines or lymphokines or for both cytokines and lymphokines." The new term is supported on page 8, line 35 of the specification, and therefore does not add new matter. Applicants assert that the claim is clear and definite and request that the rejection under 35 U.S.C. § 112 be withdrawn.

Claims 33 and 40 have been cancelled, thus obviating a response to the rejection of them under 35 U.S.C. § 112, first paragraph.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 

Kenneth J. Meyers
Reg. No. 25,146
Phone: (202) 408-4000
Fax: (202) 408-4400
Email: Ken.Meyers@finnegan.com

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

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Washington, DC 20005
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Fax 202.408.4400
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Appendix to the Amendment of June 20, 2002

Please amend the claims as follows:

7. (TWICE AMENDED) A peptide compound [obtained using a method as claimed in claim 1] comprising a sequence of at least 8 consecutive amino acids of a natural hsp70 sequence, the sequence having at least one mutation or modification with respect to the natural hsp70 sequence, and wherein the peptide compound brings about a specific T response.

11. (TWICE AMENDED) The peptide compound as claimed in claim 7, further comprising at least one element other than natural amino acids, wherein the element provides at least one of the following functions regarding the peptide compound: chemical protection, physical protection, promotion of absorption by the body, promotion of administration, and promotion of bioavailability.

13. (TWICE AMENDED) A vector for expressing the peptide compound as claimed in claim 7, comprising a DNA fragment encoding a peptide fragment of hsp70, wherein the DNA fragment is fused to a promoter [which] that is strong and effective in eukaryotic [and/or] or in prokaryotic cells or in both eukaryotic and prokaryotic cells.

14. (TWICE AMENDED) The vector as claimed in claim 13, further comprising at least one selection marker and, optionally, at least one coding sequence for [factors which activate immune defenses] cytokines or lymphokines or for both cytokines and lymphokines.

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DUNNER LLP

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